

Tennessee Department of Environment and Conservation
Underground Storage Tanks
4th Floor L & C Tower
401 Church Street
Nashville, TN 37243-1541

June 9, 2003

Changes affecting the Underground Storage Tank Fund

Dear Owners, Operators, and Corrective Actions Contractors:

In order to be better stewards of the Underground Storage Tank (UST) Fund, the division of UST is developing changes that affect how remediation work is performed and applications for reimbursement are submitted. Some of the immediate changes are listed below.

The division is developing a prioritization system that will determine future activities at all sites and ensure proper management of and distribution from the UST Fund. Upon completion of the prioritization process, certain site investigation and/or remediation activities may be suspended. The division will be providing additional guidance regarding your site.

To improve the efficiency of the processing time for all reimbursement applications, a new minimum submittal cost has been established. [Reimbursement applications](#) must be a minimum cost of one thousand dollars (\$1,000), singular or accumulated invoices, and must be submitted at least two months apart.

In April, 1998, the division issued letters to all owner/operators informing them of the enforcement of rule 1200-1-15-.09(13)(f) which states “**An application for payment shall be received within one year from the date of performance or acceptance of the work in order to be eligible for payments from the Fund**”. This letter is to reiterate the strict enforcement of that rule.

If you are currently seeking reimbursement for a UST releases(s) which has been determined to be fund eligible, and you have outstanding claims that are more that one year old, you should file for reimbursement of those cost immediately. All applications which include costs more than one year old from the date of performance of work must be received in this office by June 30, 2003, 4:30 p.m. Central Daylight Savings Time in order to be considered for approval of those costs.

If the division receives a request from you after June 30, 2003, that includes expenses for environmental investigation and cleanup incurred by you which are more than one year old, they will not be eligible for reimbursement. If you have not applied for eligibility for reimbursement on your site(s), you must do this in addition to submitting an application for reimbursement to make sure your site is eligible. This may be accomplished by

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submitting an Authorization for Fund Eligibility form to the central office at the address listed in the letterhead.

The division is responsible for maintaining viability of the fund. Not only does the Fund provide relief of costly cleanups, it is also the means by which most tank owners use to meet the financial responsibility requirements set forth in the federal regulations. We ask for your support to help maintain the Fund as a viable mechanism by helping us implement these changes.

Reimbursement applications and Fund Eligibility forms can be obtained on the UST home page (<http://www.state.tn.us/environment/ust/>), in the Environmental Assistance Centers or in the UST central office. If you have questions concerning reimbursement issues, please call 615-532-0945 and ask for anyone in the Reimbursement section. If you have questions concerning the prioritization system development, please contact Lisa Pugh at (615) 532-0273.

Sincerely,

Clinton W. Willer
Acting Director
Division of Underground Storage Tanks